

Assembly Concurrent Resolution

No. 74

Introduced by Assembly Member Portantino

May 18, 2009

Assembly Concurrent Resolution No. 74—Relative to the treatment of animals.

LEGISLATIVE COUNSEL'S DIGEST

ACR 74, as introduced, Portantino. Animal shelters: No Kill movement policies.

This measure would urge local animal services agencies, local animal shelters, agencies under contract to provide animal services, societies for the prevention of cruelty to animals, and humane societies to embrace the philosophy of the No Kill movement and implement its programs and services aimed at ending the mass killing of sheltered animals.

Fiscal committee: no.

- 1 WHEREAS, Societies for the prevention of cruelty to animals,
2 animal shelters, and other humane organizations were formed to
3 establish standards for humane treatment of animals and to protect
4 them from harm; and
5 WHEREAS, Traditional sheltering practices allow the mass
6 killing of sheltered animals; and
7 WHEREAS, Every year animal shelters in California are killing
8 thousands of healthy and treatable animals that could be placed in
9 homes and thousands of feral cats that do not belong in animal
10 shelters; and
11 WHEREAS, Citizens have a right to expect animal protection
12 organizations, animal services agencies, animal shelters, agencies

1 under contract to provide local animal services, societies for the
2 prevention of cruelty to animals, and humane societies to do
3 everything in their power to promote, protect, and advocate for
4 the lives of animals; and

5 WHEREAS, Citizens have a right to have their government
6 spend their tax dollars not on programs and services that kill
7 animals but on those that save and enhance the lives of animals
8 and protect animals from cruelty; and

9 WHEREAS, Citizens have the right to full and complete
10 disclosure about how animal shelters operate; and

11 WHEREAS, The No Kill movement in the United States has
12 successfully implemented new and innovative programs that
13 provide alternatives to killing sheltered animals; and

14 WHEREAS, Under the No Kill animal sheltering method, shelter
15 directors dedicate themselves and actively commit management
16 and staff to animal lifesaving programs and policies to promptly
17 end mass killing of sheltered animals; and

18 WHEREAS, The No Kill animal sheltering method creates and
19 funds high-volume, low- and no-cost spay or neuter services; and

20 WHEREAS, The No Kill animal sheltering method incorporates
21 the following animal lifesaving programs and policies:

22 (a) Volunteer foster care network programs to care for sheltered
23 animals that are underaged, traumatized, sick, injured, or otherwise
24 in need of refuge, unless the prognosis for rehabilitation of that
25 individual animal is poor or grave.

26 (b) Comprehensive adoption programs that operate during
27 weekend and evening hours and include offsite adoption venues.

28 (c) Medical and behavioral rehabilitation programs, which may
29 include the creation of a special public monetary fund, that allow
30 outside veterinarians to do voluntary rotations to supplement staff,
31 provide medical help, diagnose, vaccinate, and administer
32 medication and treatment.

33 (d) Pet retention programs to solve medical, environmental, or
34 behavioral problems, which include, but are not limited to,
35 shelter-housed pet care libraries, free in-home dog behavior
36 problem solving taught by volunteers, low-cost or
37 volunteer-provided dog training, and pet behavior classes.

38 (e) Multilingual public education and awareness programs.

39 (f) Feral cat trap-neuter-return or release (TNR) programs for
40 the purposes of ending the policy of accepting trapped feral cats

1 to be destroyed as unadoptable, and establishing TNR as the
2 accepted method of feral cat control by educating the public about
3 TNR and offering TNR program services.

4 (g) Animal socialization programs using community volunteers.

5 (h) Volunteer programs to socialize animals, promote adoptions,
6 and assist in shelter operations.

7 (i) Voluntary animal training programs offered to government
8 controlled shelters by dog and cat breed clubs, certified training
9 groups, or animal trainers.

10 (j) Government-employed animal shelter staff participation in
11 breed identification training.

12 (k) Creation and maintenance of a directory of local nonprofit
13 rescue groups.

14 (l) Prekilling notification to rescue groups before animals are
15 killed.

16 (m) Rescue group access to sheltered animals during normal
17 business hours for the purpose of identification, adoption, or advice
18 on the treatment of their breed.

19 (n) Adoption or release of animals to rescue organizations for
20 rehoming.

21 (o) Documentation that all efforts to save an animal have been
22 considered before killing the animal, including medical and
23 behavioral rehabilitation, foster care, rescue groups, neuter and
24 release, and adoption.

25 (p) Killing an animal only after the shelter has made an
26 independent determination that the animal is irremediably suffering
27 or cannot be rehabilitated.

28 (q) Temperament testing by persons trained in animal behavior
29 sciences which results in less killing of animals that are not truly
30 vicious but can be placed in homes or released, such as shy, timid,
31 or frightened animals.

32 (r) Owner counseling on owner-requested killing of animals to
33 ascertain if there is an alternative that will allow the owner to keep
34 the animal and to determine whether the animal can be rehomed.

35 (s) Examination of animal control ordinances, such as cat
36 licensing, pet limit laws, bans on feeding stray animals, bans on
37 specific breeds, and mandatory spay and neuter programs, to assess
38 the effectiveness of those ordinances and their impact on animal
39 death rates; and

1 WHEREAS, The Legislature believes animal lifesaving changes
2 will come about if No Kill programs are embraced and further
3 developed; now, therefore, be it

4 *Resolved by the Assembly of the State of California, the Senate*
5 *thereof concurring*, That the Legislature encourages No Kill animal
6 shelter policies and procedures as the foundation for animal
7 sheltering; and be it further

8 *Resolved*, That the Legislature urges all local animal services
9 agencies, local animal shelters, agencies under contract to provide
10 animal services, societies for the prevention of cruelty to animals,
11 and humane societies to embrace the philosophy of the No Kill
12 movement, and to immediately begin implementing programs and
13 services to reject failed kill-oriented policies and end the mass
14 killing of sheltered animals; and be it further

15 *Resolved*, That the Chief Clerk of the Assembly transmit copies
16 of this resolution to the author for appropriate distribution.